

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re

BRET S. DIBATTISTA,  
Debtor.

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BRET S. DIBATTISTA,  
Plaintiff/Appellant, 19 **CIVIL** 8118 (CS)

-against-

**JUDGMENT**

SELENE FINANCE LP,  
Defendant/Appellee.  
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It is, **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated April 9, 2020, the Bankruptcy Court's Order is **AFFIRMED** in part and **VACATED** and **REMANDED** in part. The Bankruptcy Court's finding of contempt is affirmed, as is its imposition of sanctions for fees and expenses in the amount of \$9,046.60. The Bankruptcy Court's Order is vacated as to the \$17,500 it awarded to DiBattista, and the case is remanded to permit the Bankruptcy Court to enter another sanction within its sound discretion, with an explanation of the type of award and its basis; accordingly, the case is closed.

**Dated:** New York, New York  
April 10, 2020

**RUBY J. KRAJICK**

**BY:**

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Clerk of Court

*David J. Thomas*

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Deputy Clerk